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Page 1 of 7

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Date: September 6, 2005

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Examiner James K. Trujillo
Art Unit 2116
Fax Number 571-273-8300

FROM: **Paul E. Steiner**
Fax Number 703-633-3303
Phone Number 703-633-6830

SUBJECT: Application Number 09/863,103
Inventor(s) John P. Lambino, et al.
Date Filed May 22, 2001
Docket Number P11071
Title Firmware Upgrade Using Address Conversion

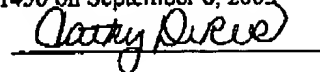
INCLUDED IN THIS TRANSMISSION:

Fax Cover Sheet	1 page
Transmittal	1 page
Response Under 37 C.F.R. § 1.116	5 pages

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Total Number of Pages in This Submission

7

Application Number 09/863,103

Filing Date May 22, 2001

First Named Inventor John P. Lambino, et al.

Art Unit 2116

Examiner Name James K. Trujillo

Attorney Docket Number P11071

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☒ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application
Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
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Firm Name

Intel Americas

Signature

/Paul E. Steiner/ Paul E. Steiner

Printed name

Paul E. Steiner

Date

September 6, 2005

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In re patent application of:

John P. LAMBINO, et al.

Serial No.: 09/863,103

Group Art Unit: 2116

Filed: May 22, 2001

Examiner: J. Trujillo

FOR: FIRMWARE UPGRADE USING ADDRESS CONVERSION

RESPONSE UNDER 37 C.F.R. § 1.116

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Sir:

In response to the final Office Action mailed July 6, 2005, applicants provide the following remarks.

REMARKS

Claims 1-25 remain pending for reconsideration.

Applicants object to the finality of the present office action. In numbered paragraph 36, the Examiner responds, in substance, that since the updated rejection addressed the new limitations, no non-final action was necessary. This is beside the point. The point is that the office action failed to answer applicants' traversal. In the present action, in numbered paragraph 38, the Examiner offers some response to applicants' traversals. However, these traversals are the same arguments that were made in the prior response. The Examiner should have answered these traversals in the prior non-final office action. By waiting to answer these traversals until the present office action, which is final, the Examiner severely limits the applicants' ability to respond and

P11071